

2011 Annual Report

Your Missouri Courts



Welcome to the 2011 Annual Report of the Missouri Judiciary. We hope this report, along with the 2011 Annual Report Statistical Supplement, will enable you to learn more about the administration of justice in the state of Missouri.

It is important that all facets of government – including the judiciary – do what they can to maintain accountability. In the case of the judiciary and its unique role, this means accountability not only to the public in terms of performance but also accountability to the law. Our state and federal constitutions give our judiciary a solemn duty to uphold the law, and our unwavering commitment to that duty will remain, no matter the challenge.

As noted above, accountability can take many forms. This report – and the supplement – highlights our accountability in terms of performance by providing you statistical analysis of how we manage our caseload. We have managed to maintain our commitment to efficient disposition of cases despite hiring restrictions and other reductions. We also have begun the age of

electronic filing in Missouri. Our pilot projects in the Supreme Court of Missouri and St. Charles County have shown the great promise of this technology, which will continue to enhance our ability to manage our caseload and provide better information to clerks, litigants, judges and the public alike. We also continue to analyze the ways in which the judiciary interacts with its partners in the justice system to achieve the best possible results for the citizens who come into our courts, especially in the areas of sentencing, treatment court dockets and juvenile detention.

While challenges remain, this report also serves to remind us of the many ways in which the members of the judiciary have met great challenges despite great adversity in 2011. The devastating tornado in Joplin was deeply painful for all who experienced it and will be for years to come, but as this report will show, members of the court community came together to do what they could for their fellow court family. Other examples of shining through adversity can be seen in Judge Jimmie Edwards' Innovative Concept Academy and



Supreme Court of Missouri judges (front row, from left): Judge Laura Denvir Stith, Chief Justice Richard B. Teitelman, Judge William Ray Price Jr., (back row, from left) Judge Zel M. Fischer, Judge Patricia Breckenridge, Judge Mary R. Russell, Judge George W. Draper III

the great difference it has made in the lives of so many youth in St. Louis. These and countless other examples provide ample evidence of the judiciary's ongoing commitment to accountability to each other and to our community.

Finally, as you read this report, we ask you to consider how each of us, as citizens of Missouri, can ensure the most effective and efficient judiciary possible. With your help, Missouri will continue to have the great judiciary that this great state deserves.

Sincerely,

A handwritten signature in black ink, reading "Richard B. Teitelman".

Richard B. Teitelman
Chief Justice

A handwritten signature in black ink, reading "Gregory J. Linhares".

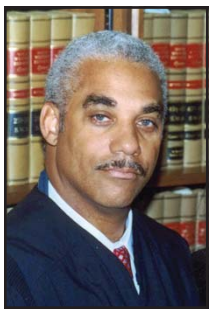
Gregory J. Linhares
State Courts Administrator

The Missouri eFiling System

The use of a new technology system – an electronic filing system coined “the Missouri eFiling System” – began Sept. 1, 2011, in the Supreme Court of Missouri and the 11th Judicial Circuit (St. Charles County). The system allows registered users to file case documents electronically with the courts and to view those documents at nearly any time. More than 3,700 attorneys have registered for the system so far. More than 21,000 filings have occurred and, already, 15 percent of all those filings have been outside normal business hours. Additionally, the system allows all registered users to serve notice on other registered users electronically and to receive electronic notices from the system about their cases pending in all courts statewide. We plan to implement the Missouri eFiling System in each district of the court of appeals within the next six months.

The benefits electronic filing brings in terms of cost and time savings as well as convenience is growing by the day. Our reduced court clerical staff is spending less time locating paper files and more time reviewing filings for accuracy and ensuring data integrity. Attorneys are filing and viewing documents seven days a week from any computer with an Internet connection, resulting in better services for both attorneys and their clients. The system is reducing or eliminating costs for file storage, printing and binding, postage, couriers, and more.

Future rollout of the system to more circuit courts is dependent on the availability of resources, and various funding options are being explored. A \$2.6 million budget request, if approved, would fund a complete rollout of the Missouri eFiling System and likely would allow deployment of the system for all case types within five years. Otherwise, requesting an additional \$4 surcharge assessed on all cases would pay for expansion.



Judge George W. Draper III Appointed to State's Highest Court

Judge George W. Draper III was appointed by the governor Oct. 19, 2011, to the Supreme Court of Missouri. His appointment is notable for both the added diversity and judicial experience he brings to the Court. Draper is the second African-American judge named to the state's highest court, following Judge

Ronnie White, who served from 1995-2007. Draper joins a Court that has grown in diversity; it now includes three women judges, three judges from rural Missouri and one judge of Jewish faith.

Draper is the second judge to serve at all four levels – associate circuit, circuit, appellate and Supreme Court, following Judge John Holstein, who served on the Supreme Court from 1989-2002. Draper was appointed in July 1994 as an associate circuit judge and in June 1998 as a circuit judge in the 21st Judicial Circuit (St. Louis County). He was appointed a judge of the court of appeals in May 2000 and retained at the November 2002 general election.

Time Standards Awards

The O'Toole Award is given to circuits for achieving at least five of the 10 case processing time standards and for not being more than 5 percent from achieving the remaining standards. The Permanency Award is given to circuits for successfully holding timely hearings in child abuse and neglect cases, in which children removed from their homes are to be reunited with their families or placed in a permanent home.

Circuits that received the O'Toole Award: 1 (Clark, Schuyler and Scotland counties); 3 (Grundy, Harrison, Mercer and Putnam counties); 4 (Atchison, Gentry, Holt, Nodaway and Worth counties); 5 (Andrew and Buchanan counties); 9 (Chariton, Linn and Sullivan counties); 10 (Marion, Monroe and Ralls counties); 14 (Howard and Randolph counties); 15 (Lafayette and Saline counties); 19 (Cole County); 32 (Bollinger, Cape Girardeau and Perry counties); 33 (Scott and Mississippi counties); and 41 (Macon and Shelby counties).

Circuits that received the Permanency Award: 1 (Clark, Schuyler and Scotland counties); 2 (Adair, Knox and Lewis counties); 3 (Grundy, Harrison, Mercer and Putnam counties); 4 (Atchison, Gentry, Holt, Nodaway and Worth counties); 5 (Andrew and Buchanan counties); 6 (Platte County); 10 (Marion, Monroe and Ralls counties); 13 (Boone and Callaway counties); 15 (Lafayette and Saline counties); 18 (Cooper and Pettis counties); 22 (city of St. Louis); 25 (Maries, Phelps, Pulaski and Texas counties); 26 (Camden, Laclede, Miller, Moniteau and Morgan counties); 30 (Benton, Dallas, Hickory, Polk and Webster counties); 36 (Butler and Ripley counties); 38 (Christian and Taney counties); 44 (Douglas, Ozark and Wright counties); and 45 (Lincoln and Pike counties).

Jasper County Circuit Court's 'New' Normal

On May 22, a category EF-5 twister with wind speeds of 250 miles per hour devastated the city of Joplin. For the Jasper County circuit court, it has been a slow and painful process of grief and recovery.

One court employee was killed. Fourteen workers lost their homes entirely, while more than a dozen others' homes sustained such severe damage that they were uninhabitable.

"The first stage was simply getting housing, hotels or friends to stay with and then finding clothes and food," said Jasper County Circuit Judge Gayle Crane. Not all court employees were able to find housing; some were forced to live in their cars until they found hotel rooms in Neosho and Carthage.

Although the courthouse itself did not sustain any damage, due

to street closings it was not until the third day after the tornado that employees were able to get inside. Staff then began the exhaustive task of locating those still unaccounted for and helping others in need. Within the week, donations and money arrived from other circuits, the Supreme Court of Missouri, the state courts administrators office, the state circuit clerks association and other groups. A hastily organized central location in a jury room became the base for distribution to those in need. "My clerks all pulled together to get the job done and are still working together today," Circuit Clerk Linda Williams said. "I am extremely proud of my deputy clerks."

It was September – four months after the tornado – before jury trials could resume. Adjustments have had to be made for Joplin

area attorneys. An estimated 17,000 vehicles were totaled, making transportation to the courthouse impossible for many. "We had attorneys showing up for court, but they didn't have any files because their offices were gone," Crane said. "Some didn't have an office or a home."

Life for the people of Joplin is getting back on track – normal is not quite the right word to use yet. Some family members remain hospitalized, and phone calls to insurance agents and building contractors have become part of the daily routine. But Crane says the tornado has forced everyone in Joplin to rethink priorities and to not stress about the little things that used to be important. The 'new' normal is simply getting back to work and being around family and friends – or "doing what you do," as Crane says.

Judge Jimmie Edwards Named "Hero Among Us"

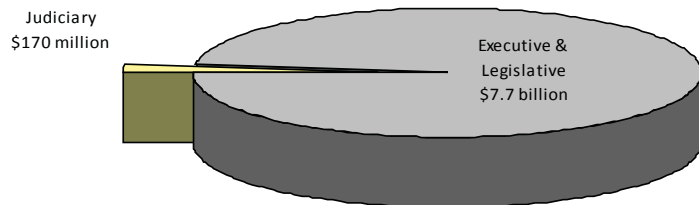
In 2009, after watching a string of teen offenders come through his courtroom, St. Louis Circuit Judge Jimmie Edwards took action. Along with 45 community partners, he took over an abandoned school and opened the Innovative Concept Academy – a school of 'last resort' for troubled kids in the juvenile court system. By providing strict discipline; counseling and programs like chess, music and creative writing; and mandatory after-school activities, the school has changed the lives of many young people, giving them the opportunity to graduate from high school and lead successful lives.



Correspondent Russ Mitchell interviews Judge Edwards for CBS' The Early Show.

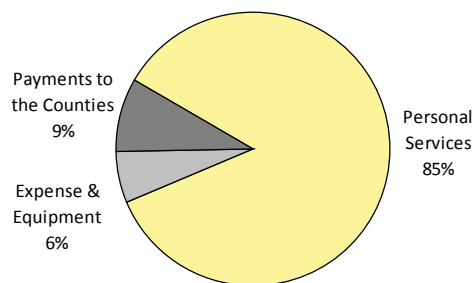
Previously only featured in local media, this year marked a transition to the national stage, and life at the academy hasn't been quite the same. People magazine named Judge Edwards one of its "Heroes Among Us" and, along with their corporate sponsor, Jeep, donated \$10,000 for an arts and drama program at the academy. The national media spotlight brought the biggest surprise yet for students when, just before Christmas, Walmart donated a truckload of computers, printers, school supplies and sports equipment – and brand new winter coats for each student – as part of "Getting to the Heart of Christmas," an NBC special series. Judge Edwards summed it up best when he said, "To receive \$10,000 from the magazine and to see all the letters and e-mails from folks wanting to help or offer words of encouragement – it's just been overwhelming."

General Revenue (GR) Funding Judiciary Compared with Other Branches



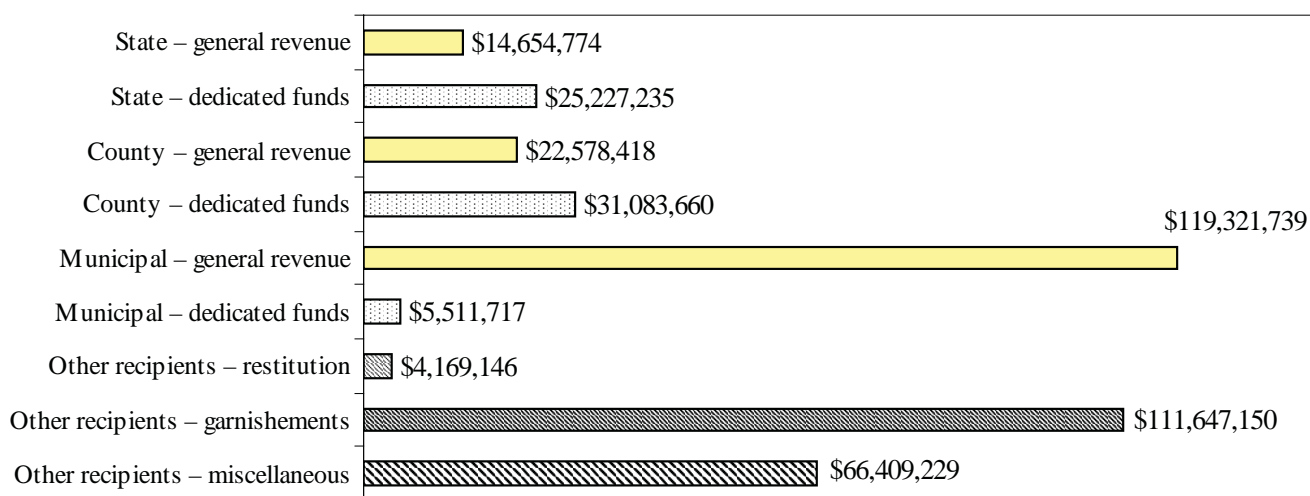
- For fiscal 2011, the judiciary (Supreme Court, three appellate court districts and 45 circuit courts serving 114 counties plus the city of St. Louis) received slightly more than 2 percent of statewide general revenue appropriations.

Judiciary GR Distribution



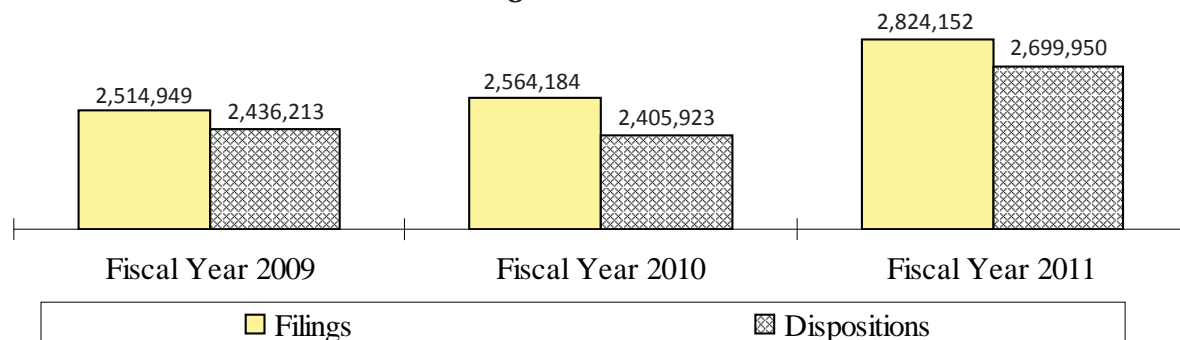
- The vast majority of the courts' costs are for personnel. Most day-to-day operating expenses are paid by the counties.

\$400 Million in Disbursements of Court Costs, Fines and Other Fees from the Circuit Courts



- In fiscal 2011, Missouri's circuit courts disbursed more than \$400 million. Approximately two-fifths of this amount – more than \$150 million – went into the discretionary spending accounts of state, county or municipal governments. The remaining funds were divided among restitution, garnishments and dedicated funds such as crime victims' compensation, domestic violence, independent living, spinal cord and head injury, law enforcement training, and others.

Filings in the Circuit Courts



- Over the past three fiscal years, activity in the circuit courts (i.e. formal cases, administrative filings, diversions to the Fine Collection Center, etc.) increased by 12 percent (in large part due to improved municipal division reporting), representing more than 300,000 filings.
- The Supreme Court, court of appeals, and probate and municipal divisions of the circuit courts saw increased filings. At the same time, there has been an increase in the number of administrative matters handled by the judiciary as well as diversions to the Fine Collection Center.
- During this time, the number of filings disposed by the judiciary has increased by more than 125,000 each year.